



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION VII
726 MINNESOTA AVENUE
KANSAS CITY, KANSAS 66101

JUL 28 1989

CERTIFIED MAIL
Return Receipt Requested

Mr. W. G. Pauley
W. G. Pauley Lumber Company
1751 W. Second Street
Hastings, Nebraska 68901

Dear Mr. Pauley:

Re: Request for Information
Hastings Ground Water Contamination Site

As you are aware, the United States Environmental Protection Agency (EPA) has been investigating ground water contamination in the Hastings, Nebraska, area since 1985. This site has been divided into several subsites. Presently, EPA is investigating the source of contamination at Well #3 subsite. This decommissioned city well is located near Lincoln Street and "A" Street and has shown carbon tetrachloride contamination.

As noted in previous communications, carbon tetrachloride contamination has been found in soil-gas samples collected from W. G. Pauley Lumber Company property. The EPA is requesting additional information to assist with the EPA's investigation of the carbon tetrachloride spill area on your property.

Under the provisions of Section 104 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. §9604 et seq. (CERCLA), as amended, and Section 3007 of the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6927, where EPA has a reasonable basis to believe there is a release or threat of release of hazardous substances, EPA has the authority to require any person who may have information relevant to said release or threat of release to furnish the information to EPA, upon reasonable notice by the Agency. Pursuant to these statutory provisions and relative to the operations at W. G. Pauley Lumber Company warehouses, as identified on the enclosed map, you are requested to provide the following information.

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1. Describe the nature of your operations at the W. G. Pauley Lumber Company warehouses, formerly owned by Farmers Grain Storage, Inc.

2. State whether or not your company has used, stored or disposed of carbon tetrachloride at the referenced warehouses. If so, identify dates of use, storage or disposal at your property.

3. Identify what business relationship existed between W. G. Pauley Lumber Company and Farmers Grain Storage, Inc.

4. State whatever knowledge you have of any disposal (or spills) of carbon tetrachloride on the subject property, either before or after the date of purchase by W. G. Pauley Lumber Company, detailing where the carbon tetrachloride was disposed, in what quantities and during whose ownership of the property the carbon tetrachloride was disposed.

5. Describe any physical modifications or improvements to the warehouse buildings which were done by W. G. Pauley Lumber Company. The EPA is interested in the age and construction of the floor in the east buildings which are identified as 2, 3 and 4 on the enclosed map. Please provide any building specifications or other information which would assist EPA.

6. State whether any equipment items including tanks, pipes or drains were left in the warehouse buildings by the previous owners or tenants. Describe the nature and location of any such equipment which you observed at the time of purchase.

Compliance with this Information Request is mandatory. Failure to respond fully and truthfully to the Information Request within twenty (20) days of receipt of this letter or adequately to justify such failure to respond, can result in enforcement action by EPA to seek the imposition of penalties of up to twenty-five thousand dollars (\$25,000) for each day of continued non-compliance. Please be further advised that provision of false, fictitious or fraudulent statements or representations may subject you to criminal penalties under 18 U.S.C. §3008(d) of RCRA.

This request extends to all information contained in written documents in the possession of W. G. Pauley Lumber Company, its officers, employees, consultants or agents, as well as any other information, whether written or otherwise, within the knowledge of the company, including its officers, employees, consultants or agents. For your convenience, you may provide copies of existing documents. In addition, please furnish us with all additional

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subject property which you may be able to provide based upon the knowledge or recollection of your employees, consultants or agents.

Your company may assert a business confidentiality claim covering part or all of the information submitted in the manner set out in 40 C.F.R. §2.203(b). The information covered by such a claim will be disclosed by EPA only to the extent, and by the means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B (1987). If no confidentiality claim accompanies the information when it is received by EPA, it may be made available to the public by EPA without further notice to you.

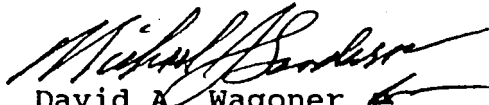
Your response to this Information Request should be mailed to:

Mr. Darrell Sommerhauser
U.S. Environmental Protection Agency
Superfund Branch
Waste Management Division
726 Minnesota Avenue
Kansas City, Kansas 66101

Due to the seriousness of the problem at the site and the legal ramifications of your failure to respond properly, EPA strongly encourages you to give this matter your immediate attention and to respond to this Information Request within the time specified above. If you have any legal or technical questions relating to this Information Request, you may consult with EPA prior to the time specified above. Please direct legal questions to Ms. Audrey Asher of the Office of Regional Counsel at (913) 236-2809. Technical questions should be directed to Mr. Darrell Sommerhauser at the above address or at (913) 236-2856.

Thank you for your cooperation in this matter.

Sincerely yours,


David A. Wagoner
Director, Waste Management
Division

Enclosure

cc: Richard Schlenker, NDEC

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